

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT  
APPLICATION

Inventor(s): ENGEL et al.

Appln. No.: 08

468,145

Series Code ↑

Serial No. ↑

Group Art Unit 1811

Examiner: N. Minnifield

Atty. Dkt. PMS 217506

93 116 PH

M#

Client Ref

Filed: June 6, 1995

Title: OLIGOPEPTIDE LYOPHILISATE

(Our Deposit Account No. 03-3975)

(Our Order No. 11468

217506

C#

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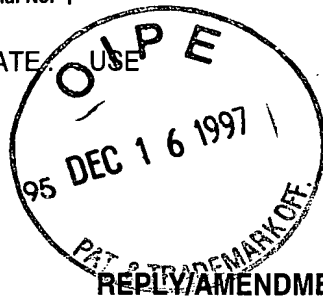
Date:

December 16, 1997

Asst. Commissioner of Patents

Washington, D.C. 20231

Sir:



REPLY/AMENDMENT/LETTER

RECEIVED

DEC 22 1997

GROUP 1800

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

## FEE REQUIREMENTS FOR CLAIMS AS AMENDED

|   |  |                                  |  |                                    |  |               |  |                    |  |                |  |          |  |
|---|--|----------------------------------|--|------------------------------------|--|---------------|--|--------------------|--|----------------|--|----------|--|
| 1. "Small Entity" statement(s) filed  |  | Claims remaining after amendment |  | Highest number previously paid for |  | Present Extra |  | Large/Small Entity |  | Additional Fee |  | Fee Code |  |
| <input type="checkbox"/> previously<br><input type="checkbox"/> herewith<br>(No.)   |  |                                  |  |                                    |  |               |  |                    |  |                |  |          |  |
| 2. Total Effective Claims   |  | 16                               |  | **minus 20                         |  | 0             |  | x \$22/\$11 =      |  | + 0            |  | 103/203  |  |
| 3. Independent Claims   |  | 3                                |  | ***minus 3                         |  | 0             |  | x \$82/\$41 =      |  | + 0            |  | 102/202  |  |
| 4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application) ..... |  |                                  |  |                                    |  |               |  | + \$270/\$135 =    |  | + 0            |  | 104/204  |  |
| 5. Original due Date: DECEMBER 16, 1997   |  | <input type="checkbox"/> NONE    |  |                                    |  |               |  |                    |  |                |  |          |  |
| 6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached         |  | (1 mo)                           |  | \$110/\$55 =                       |  |               |  | + 0                |  |                |  | 115/215  |  |
|   |  | (2 mos)                          |  | \$400/\$200 =                      |  |               |  |                    |  |                |  | 116/216  |  |
|   |  | (3 mos)                          |  | \$950/\$475 =                      |  |               |  |                    |  |                |  | 117/217  |  |
| 7. Enter any previous extension fee paid since above original due date and subtract   |  |                                  |  |                                    |  |               |  |                    |  |                |  |          |  |
| 8. Extension Fee Attached   |  |                                  |  |                                    |  |               |  |                    |  | + 0            |  |          |  |
| 9. If Terminal Disclaimer attached, add Rule 20(d) official fee .....   |  |                                  |  |                                    |  |               |  | + \$110/\$55 =     |  | +              |  | 148/248  |  |
| 10. If IDS attached requires Official Fee, .....  |  |                                  |  |                                    |  |               |  | + \$240 =          |  | +              |  | 126      |  |
| or if Rule 97(d) Petition .....   |  |                                  |  |                                    |  |               |  | + \$130 =          |  | +              |  | 122      |  |
| 11. After-Final Request Fee per rules 129(a) and 17(r) .....  |  |                                  |  |                                    |  |               |  | + \$790/395 =      |  | +              |  | 146/246  |  |
| 12. No. of additional inventions for examination per Rule 129(b) .....  |  |                                  |  |                                    |  |               |  | x \$790/395 ea =   |  | +              |  | 149/249  |  |
| 13. Petition fee for  |  |                                  |  |                                    |  |               |  |                    |  | +              |  |          |  |
| 14. TOTAL FEE ENCLOSED =  |  |                                  |  |                                    |  |               |  |                    |  |                |  | \$0      |  |

15. \*If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

16. \*\*If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

17. \*\*\*If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown in the heading hereof, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Madison & Sutro LLP  
Intellectual Property Group

By Atty: Ann S. Hobbs, Ph.D.

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NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments

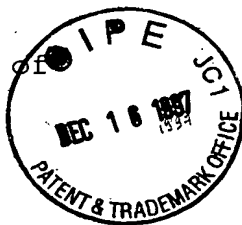
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of  
ENGEL et al

Appln. No. 08/468,145

Filed: June 6, 1995

Title: OLIGOPEPTIDE LYOPHILISATE, THEIR PREPARATION AND USE



Att: Box AF

Group Art Unit: 1811

Examiner: N. Minnifield

12/C  
M.G.  
12/22/97  
(NE)

\* \* \* \* \*

December 16, 1997

AMENDMENT

Hon. Commissioner of Patents  
and Trademarks  
Washington, D C. 20231

RECEIVED  
DEC 22 1997  
GROUP 1800

Sir:

In response to the Office Action issued September 16, 1997, please enter the following amendments and consider the following remarks.

IN THE CLAIMS:

Amend the claims as follows:

--12. A method for the preparation of sterile lyophilizates of gel-forming peptide salts having 3-15 amino acids, said method comprising the steps of  
dissolving said peptide salts in aqueous acetic acid to form a solution,  
diluting said solution with water for injection,  
adding a bulking agent, and  
sterile-filtering, dispensing into injection vials and lyophilizing the solution,  
thereby obtaining a sterile lyophilisate.

C1  
OK to  
enter  
MM  
1-12-98